

85-92-A PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 232.1.1 (303.2) To permit a front yard setback of 21.5' instead of the required average of 43'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

confined site coupled with a front setback reduce the floor area of the full service commercial bank to a point of being unable to provide adequate public banking services to the community. Requested variance is in strict harmony with the spirit of the zoning regulation and the exact requirements would result in practical difficulties or unreasonable hardship to the petitioner. The variance will not injure the public health, safety or general welfare.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

(We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Name, address and phone number of legal owner/owner representative to be contacted

City and State

Attorney's Telephone No. (301) 823-7800

ORDERED By The Zoning Commission of Baltimore County, this 31st day of August, 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 8th day of October, 1984, at 11:15 o'clock A.M.

Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 21st day of August, 1984.

ARNOLD JABLON
Zoning Commissioner

Petitioner Union Trust Co. of Md.
Petitioner's Attorney Newton Williams

Received by Nicholas B. Commodari
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE

PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon
Zoning Commissioner
Date: October 8, 1984
FROM: Michael S. Flanigan
SUBJECT: Revised Comments
Item No. 307
Proposed Drive-in Bank Union Trust Company

The radius on the S. E. corner of the bank should be made larger to improve the flow of traffic around the building.

MSF/cam

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Zoning Commissioner
Date: September 18, 1984
FROM: Norman E. Gerber, Director
Office of Planning and Zoning
SUBJECT: Union Trust Company of Md.
No. 31-22-A

In view of the comments of the Division of Current Planning and Development's representative on the Zoning Plans Advisory Committee, this office cannot support the granting of the subject petition on the basis of the current site plan.

Norman E. Gerber, Director
Office of Planning and Zoning

NBG/JGH/af



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P. E.
DIRECTOR

June 14, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

0-SE Key Sheet
30 NW 3 Pos. Sheet
NW 8 A Topo
79 Tax Map

Re: Item No. 307 (1983-1984)
Property Owner: Union Trust Company of Maryland
E/S Charles Street Avenue 608' N. from c/l
Stevenson Lane
Existing Zoning: B.L.-CNS
Proposed Zoning: Variance to permit a front yard setback of 36.5' in lieu of the required 43'
Acres: 100 X 85 District: 9th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utilities improvements exist and are not directly involved.

Charles Street Avenue (Md. 139) is a State Road. All improvements, intersections, entrances, drainage requirements and construction affecting a State Road right-of-way are subject to the standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

The entrance locations are also subject to approval by the Department of Traffic Engineering.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item No. 307 (1983-1984).

GSB:EAM:FWR:pmg

Very truly yours,
Gilbert S. Buson, P.E., Asst. Chief
Bureau of Public Services

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 1, 1984

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

cc: Nicholas B. Commodari
Chairman

MEMBERS

Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Newton Williams, Esquire
Nolan, Plumbhoff & Williams
204 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Case No. 85-92-A (Item No. 307)
Petitioner - Union Trust Company of Md.
Variance Petition

Dear Mr. Williams:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

In view of your client's proposal to construct a bank on this property, this variance for setback is required.

After a number of conversations with Mr. Scott Barnhart of your office, he assured me that the revised plans satisfied the Department of Traffic Engineering, Office of Current Planning and the State Highway Administration.

Because of this, I scheduled the petition for a hearing. However, at the time of this writing revised comments from said departments were not available.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory

Enclosures
cc: Smealie, Orrick & Janka, Ltd.
5820 York Road
Baltimore, Maryland 21212



Maryland Department of Transportation
State Highway Administration

Lowell K. Bridwell
Secretary
Hal Kassell
Acting Administrator

June 8, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Attention: Mr. N. Commodari

Re: ZAC Meeting of 5-22-84
ITEM: #307.
Property Owner: Union Trust Company of Maryland
Location: E/S Charles Street Avenue, Route 139
608' N. from c/l Stevenson Lane
Existing Zoning: B.L.-CNS
Proposed Zoning: Variance to permit a front yard setback of 36.5' in lieu of the required 43'.
Acres: 100 X 85
District: 9th

Dear Mr. Jablon:

On review of the submittal of 4-27-84 and field inspection, the State Highway Administration offers the following comments.

It appears all access to the site is to be by way of the existing entrances on Charles Street with no improvement to access at the reconstructed site.

The State Highway Administration strongly recommends the developer review the attached concept sketch carefully.

This concept allows the use of the 20' access roadway south of the subject site to serve as ingress to the bank site.

My telephone number is (301) 659-1350
Teletypewriter for impaired hearing or speech
303-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-482-5082 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

APR 3 1985

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should/should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit

Mr. A. Jablon

-2-

June 8, 1984

All banking operations could be performed adequately with a by-pass lane through the drive-in facility, in addition to direct egress to Charles Street by way of a 20' one-way entrance.

Every effort should be made by the developer to investigate his right of access or approved use of the access from the owner or owner's to the 20' access roadway.

If a negative response in writing is obtained from the owner or owner's of the 20' access roadway south of the property, the State Highway Administration would reconsider the use of the existing entrance locations.

However, the existing entrances are constructed as 35' depressed type entrances and any one-way use as shown on the submittal must be a maximum of 20' wide with proper signs directing the flow of traffic.

It is requested the plan be revised prior to a hearing date being set.

All work within the State Highway Administration Right-of-Way must be through permit with the posting of a bond or letter of credit to guarantee construction.

Very truly yours,

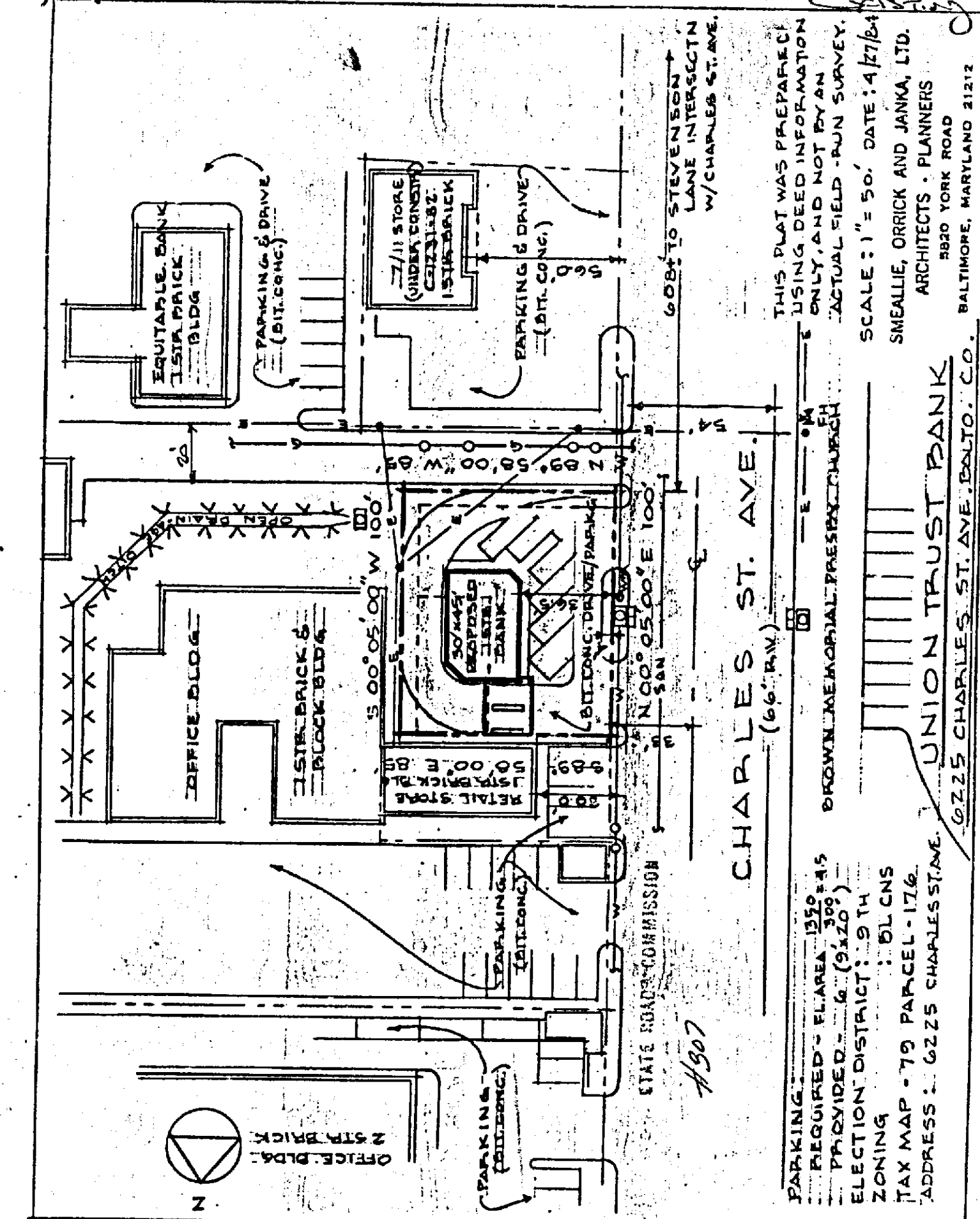
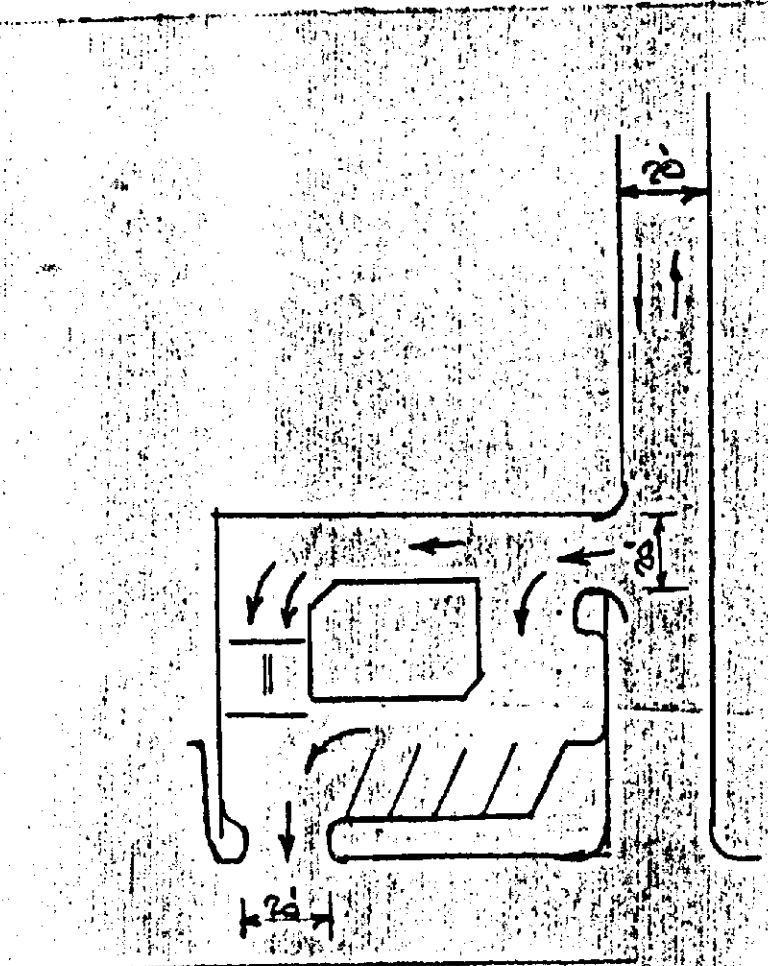
Charles Lee
Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

Attachment

cc: Mr. J. Ogle
Mr. R. Moore



Mr. E. Bober

-2-

September 17, 1984

It is requested that all Baltimore County building permits be held until the plan is revised and State Highway Administration permit applied for.

Very truly yours,

Charles Lee
Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

cc: Mr. A. Jablon
Mr. J. Ogle
Mr. G. Benson
Mr. R. Moore
Nolan, Plumhoff & Williams

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 953-1800
September 7, 1984
HAND DELIVERED

Mr. Gene Bober
County Review Group
County Office Building
Towson, Maryland 21204

RE: Union Trust Company of Maryland
Charlesbrook Branch
Waiver Request: W-84-57

Dear Mr. Bober:

As you may recall, this office represents Union Trust regarding the above matter. Please reactivate the above waiver request on behalf of my client.

During our meeting with Messrs. Moore, Benson and you, we discussed the above site. As a result of this meeting, it was my understanding that if we were able to successfully address the problems raised by traffic engineering, that we should be able to obtain the approval of the County Review Group. Since this meeting, Mr. Moore has given his tentative approval to a conceptual plan, three (3) copies of which are attached hereto.

The present conceptual plan requires that a variance be obtained for front yard setback. The zoning hearing in this case should occur sometime during the week of October 8. Our engineer, Michael Maguire, of Evans, Hagan & Holdefer, has indicated to me that we should be able to provide the final zoning plan by September 14th.

Since this plan is a commercial development of land involving only one building for a single use and as a hearing will be required in any event for the zoning variance, we respectfully request that a waiver of the plan be granted. If the County Review Group so desires, we would certainly be willing to provide all of the information required under Section 22-55 of the Development Regulations.

Mr. Gene Bober
Page 2
September 7, 1984

It is my understanding that the Planning Board will be in a position to review any recommendation regarding this waiver at their September 20th meeting. If this office can be of any further assistance to you in providing information, please feel free to contact me. Your cooperation is greatly appreciated.

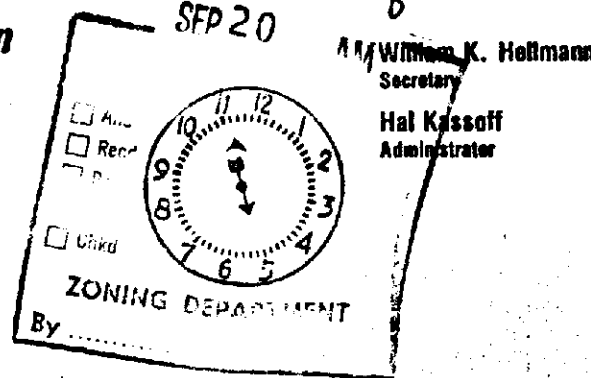
Very truly yours,

G. Scott Barnight

GSS:lab

cc: Mr. Richard L. Waltz
Mr. Harry C. Hess, III
Mr. Michael Maguire
Mr. Gilbert S. Benson
Mr. James Ogle

Maryland Department of Transportation
State Highway Administration



September 17, 1984

Baltimore County
Office of Planning & Zoning
Towson, Maryland 21204

Attention: Mr. Eugene Bober

Dear Mr. Bober:

On review of the revised submittal of September 7, 1984 the State Highway Administration offers the following comments.

We find the revised plan superior to the original submittal of 4-27-84 (ZAC Item #307).

The State Highway Administration will require the proposed "One Way" Egress Entrance to be decreased from 25' in width to 20'. (Standard One Way)

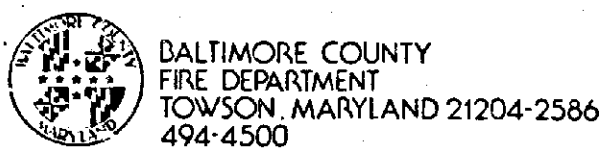
Proper traffic directional signs "Do Not Enter" and/or "One Way" signs must be located as shown on the redlined revision.

All work within the State Highway Administration Right of Way must be through State Highway Administration permit with the posting of a \$5,000.00 bond or letter of credit to guarantee construction.

My telephone number is (301) 659-1350

Teleprinter for impaired hearing or speech
303-7555 Baltimore Metro - 305-0451 D.C. Metro - 1-800-405-5082 Statewide Toll Free
P.O. Box 717 / 717 North Calvert St., Baltimore, Maryland 21203-0717

APR 3 1985



PAUL H. REINCKE
CHIEF

June 14, 1984

Mr. William Hammond,
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Union Trust Company of Maryland

Location: E/S Charles Street Avenue 608' N. from c/l Stevenson Lane

Item No.: 307 Zoning Agenda: Meeting of 5/22/84

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of 100 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

REVIEWED BY: [Signature] Noted and Approved: [Signature]
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-4500

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Zoning Advisory Meeting of Item # 307
Property Owner: Union Trust Co. of Md.
Location: E/S Charles St. 608' N. of Stevenson Lane

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- () There are no site planning factors requiring comment.
- (x) A County Review Group Meeting is required.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the "v" fire tract.
- (x) A record plat will be required and must be recorded prior to issuance of a building permit.
- (x) The access is not satisfactory.
- (x) The circulation on this site is not satisfactory.
- (x) The parking arrangement is not satisfactory.
- (x) The property contains soils which are defined as wetlands, and development on these soils is prohibited.
- (x) Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- (x) Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- (x) The amended Development Plan was approved by the Planning Board on [blank].
- (x) Landscaping should be provided on this site and shown on the plan.
- (x) The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service area is [blank].
- (x) The property is located in a traffic area controlled by a "T" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.

Additional comments:
STATE HIGHWAY ADMINISTRATION APPROVAL IS REQUIRED. SHOWING FOR THE DRIVE IN WINDINGS MUST BE SHOWN. MUST COMPLY WITH COMMENTS FROM TRAFFIC ENGINEERING. PROVISIONS FOR A BY-PASS LANE MUST BE SHOWN. Landscaping is required in accordance with Baltimore Landscaping Ordinance, adopted 9/1/84.

Eugene A. Bober
Chief, Current Planning and Development

cc: James Hoswell



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3000

TED JALESKI, JR.
DIRECTOR

June 20, 1984

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item #307 Zoning Advisory Committee Meeting are as follows:

Property Owner: Union Trust Company of Maryland
Location: E/S Charles Street Avenue 608' N. from c/l Stevenson Lane
Existing Zoning: B-1 - ONE-USE
Proposed Zoning: Variance to permit a front yard setback of 36.5' in lieu of the required 13'.

Acres: 100 x 85
District: 9th

The items checked below are applicable:

X A. All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-82 State of Maryland Code for the Handicapped and Aged; and other applicable Codes.

X B. A building/ other permit shall be required before beginning construction.

C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.

X D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 101, Line 2, Section 101.7 and Table 102, also Section 503.2.

F. Requested variance appears to conflict with the Baltimore County Building Code, Section/s [blank].

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 101.

X I. Comments If construction goes to property line, a 2 hour fire wall separation shall be required at the Drive Thru, assuming it is roofed over. Comply with State Handicapped Code.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 102 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,
Charles E. Burman, Chief
Plans Review

CEB:es

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 307, Zoning Advisory Committee Meeting of May 22, 1984

Property Owner: Union Trust Company of Maryland

Location: E/S Charles Street District 9

Water Supply public Sewage Disposal public

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- (x) Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- (x) A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- (x) A permit to construct from the Division of Air Pollution Control is required for any foodservice operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other apparatuses pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

85-92-A



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3000

TED JALESKI, JR.
DIRECTOR

September 25, 1984

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 307 Zoning Advisory Committee Meeting are as follows:

Property Owner: Union Trust Company of Maryland
Location: E/S Charles Street Avenue 608' N. from c/l Stevenson Lane
Existing Zoning: B-1 - ONE-USE
Proposed Zoning: Variance to permit a front yard setback of 36.5' in lieu of the required 13'.

Acres: 100 x 85
District: 9th

The items checked below are applicable:

(x) A. All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-82 State of Maryland Code for the Handicapped and Aged; and other applicable Codes.

(x) B. A building/ other permit shall be required before beginning construction.

C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.

(x) D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 101, Line 2, Section 101.7 and Table 102, also Section 503.2.

F. Requested variance appears to conflict with the Baltimore County Building Code, Section/s [blank].

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 101.

(x) I. Comments - Separate permits are required for removal of tanks, razing existing structures, lighting, paving etc.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 102 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,

Charles E. Burman, Chief
Plans Review

CEB:es

Zoning Item # 307 Zoning Advisory Committee Meeting of May 22, 1984
Page 2

(x) Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.

() Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.

() Soil percolation tests (have been/must be) conducted.

(x) The results are valid until [blank]. Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.

() Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.

() In accordance with Section 13-117 of the Baltimore County Code, the water well yield test [blank] shall be valid until [blank] is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.

() Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.

(x) If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.

() Others [blank]

[Signature]
Ian J. Forester, Director
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1283 (2) R

RE: PETITION FOR VARIANCE
E/S of Charles St. Ave., 608' N. of Stevenson Lane, 9th Dist. : OF BALTIMORE COUNTY
SUN/WOODBROOK PROPERTIES AND : Case No. 85-92-A
LEADED BY UNION TRUST COMPANY :
OF MARYLAND, Petitioner :

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

[Signature]
Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

[Signature]
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 17th day of September, 1984, a copy of the foregoing Entry of Appearance was mailed to Newton A. Williams, Esquire, Nolan, Plunhoff and Williams, 204 W. Pennsylvania Ave., Towson, MD 21204, Attorney for Petitioner.

[Signature]
Peter Max Zimmerman

APR 3 1985

INDENTURE OF LEASE
THIS INDENTURE OF LEASE Made this 28th day of December, 1983, between SUN/WOODBROOK PROPERTIES COMPANY, a Maryland General Partnership, C/O Grubbs Newman and Company, P.A., Suite 350, whose post office address is The Quadrangle, Village of Cross Keys, Baltimore, Maryland 21202, (hereinafter called "Landlord"), and UNION TRUST COMPANY OF MARYLAND, a body corporate, duly organized under the Laws of the State of Maryland, whose post office address is 210 Guilford Avenue, Baltimore, Maryland 21202 (hereinafter called "Tenant").

WITNESSETH
ARTICLE I
GRANT AND TERM

Section 1.01 Leased Premises

In consideration of the rents, terms, conditions, provisions, covenants and agreements hereinafter set forth reserved and contained herein on the part of the Tenant to be observed and performed, Landlord hereby demises rents and leases to Tenant, and Tenant hereby rents, demises and leases from Landlord, ALL THAT CERTAIN lot or parcel of ground with the buildings and improvements erected or to be erected thereon located at 6225 North Charles Street, Baltimore County, Maryland, as set forth and shown upon the plot plan attached hereto and made part hereof as Exhibit "A" and described by metes and bounds on Exhibit "B": both exhibits being attached hereto and made a part hereof (hereinafter called the "Leased Premises").

Section 1.02 Commencement and Ending Date

The term of this Lease and Tenant's obligation to pay rent hereunder shall commence upon the latter of the following: March 1, 1984 or the date that Landlord acquires title to the Landlord's premises as referred to in Paragraph 11.01 hereof. The term of this Lease shall end upon the 28th day of February, 1989. Such term shall be hereinafter referred to as "the original term."

Section 1.03 Options to Extend the Term

Tenant shall have three successive options to extend the original term from the date upon which it would otherwise expire, upon the terms and conditions and in the manner hereinafter specified, for three separate additional terms of five lease years each (hereinafter referred to as "the first, second, and third additional terms," respectively). If Tenant elects not to extend the original term, or, having extended the term for an additional term, elects not to extend

and water and sewer rent assessments assessed or imposed upon the Leased Premises. The parties shall apportion said taxes and rents on a calendar year basis during the first and last lease years of the tenancy created hereby. Tenant shall have the right in its sole discretion and at its own expense to appeal from any increase in the assessed value of the leased premises for real estate tax purposes. In the event Tenant decides to appeal from any such assessment, Landlord shall execute all necessary and proper documents in connection therewith and shall cooperate fully with Tenant in connection with such appeal.

ARTICLE III

CONSTRUCTION OF IMPROVEMENTS

Section 3.01 Construction of Improvements

Tenant covenants and agrees to construct or reconstruct upon the Leased Premises a branch banking facility of Tenant either by alterations, improvements or additions to the premises all at Tenant's expense or by demolishing the existing service station building located thereon and rebuilding a branch banking facility of Tenant that will comply with any new and every requirement of any of the constituted public authorities having jurisdiction thereover all in accordance with the terms of any state, federal or county statute, ordinances, rules or regulations applicable to Tenant or its use of the Leased Premises; Tenant however saving and holding Landlord harmless from any penalties, fines, costs, expenses or damages resulting from Tenant's failure to so do.

In the event Tenant elects to erect a modular type building upon the premises for the purpose of conducting its banking operations and for any reason Tenant, within ten (10) years from the date Tenant commences paying rent hereunder, elects to terminate its banking type operations from said premises, then, in that event, Tenant shall have the option within said ten (10) year period to either remove or to leave the modular type building it erects upon said premises.

Section 3.02

Landlord agrees to remove from the Leased Premises all tanks used for the holding of gasoline or other petroleum products located beneath the surface of the Leased Premises, and further Landlord agrees to fill any hole resulting from the removal of said tanks and to place crusher run on the top of said hole so that that portion of the Landlord's premises will be suitable for blacktop by the Tenant, all said action to be completed by the date the Tenant agrees to pay rent in accordance with Section 1.02 of this Lease. In the event said action is

-3-

EXHIBIT B
to Indenture of Lease dated day of , 1983, between Sun/Woodbrook Properties Company and Union Trust Company of Maryland.

ALL that lot of ground situate in Baltimore County, in the State of Maryland and in accordance with a survey description prepared by Edward V. Coonan & Co., Surveyors and Civil Engineers, dated June 15, 1960, is described as follows, that is to say:

BEGINNING for the same on the East side of Charles Street Avenue 66 feet wide at the distance of North 00 degrees 05 minutes East 6.00 feet from a point formed by the intersection of the East side of Charles Street Avenue with the last line of a parcel of land conveyed by Stanley E. Hartman, ET AL Trustees to William J. Wisand by deed dated November 22, 1935 and recorded among the Land Records of Baltimore County in Liber CWB Jr. No. 966, folio 231, etc. thence North 00 degrees 05 minutes East binding on the East side of Charles Street Avenue 100.00 feet thence leaving said Avenue and running for lines of division the two following courses and distances, viz South 89 degrees 58 minutes East 85.00 feet and South 00 degrees 05 minutes West 100.00 feet to a point measured North 00 degrees 05 minutes East 6.00 feet from the last line in the deed above referred to and thence North 89 degrees 58 minutes West parallel with said last line 85.00 feet to the place of beginning.

Section 12.09 Recording

This Lease shall not be recorded, but upon the request of either party hereto the other party shall join it in the execution of a memorandum or so-called "short form" of this Lease for the purpose of recording. Said memorandum or short form of this Lease shall describe the parties, the Leased Premises and the terms of this Lease and shall incorporate this Lease by reference. The cost of any recordation pursuant to any section of this Indenture of Lease shall be paid by the parties so requesting said recordation.

IN WITNESS WHEREOF, Landlord and Tenant have signed and sealed this Lease as of the day and year first above written.

WITNESS:

James H. Hill

WITNESS:

Charles J. Hill

SUN/WOODBROOK PROPERTIES COMPANY

By *William S. Sasliff* Partner

Landlord

UNION TRUST COMPANY OF MARYLAND

By *James H. Hill* Vice President

Tenant

STATE OF MARYLAND, CITY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY, that on this 23rd day of December, 1983, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore, personally appeared William S. Sasliff, Partner of Sun/Woodbrook Properties Company, Landlord, and he acknowledged the foregoing Indenture of Lease to be his act, executing the foregoing instrument for the purposes therein contained.

WITNESS my hand and Notarial Seal.

Notary Public

My Commission expires: July 1, 1984

STATE OF MARYLAND, CITY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY, that on this 28th day of December, 1983, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore, personally appeared Charles J. Hill, Vice President of Union Trust Company of Maryland, Tenant, and he acknowledged the foregoing Indenture of Lease to be his act of said body corporate.

WITNESS my hand and Notarial Seal.

Notary Public

My Commission expires: July 1, 1984

EXHIBIT B
to Indenture of Lease dated day of , 1983, between Sun/Woodbrook Properties Company and Union Trust Company of Maryland.

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IN RE: PETITION ZONING VARIANCE
E/S of Charles Street Avenue,
608' N of Stevenson Lane -
9th Election District
Sun/Woodbrook Properties
Leased by Union Trust Company
of Maryland,
Petitioner
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 85-92-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein, Lessee of the subject property, requests a front yard setback of 21.5 feet instead of the required average of 43 feet, as more fully described on Petitioner's Exhibit 1. However, a final survey of the property determined the exact measurements to be 21 feet and 42.5 feet. The Petition is hereby amended to reflect those measurements.

The Petitioner, by Richard Waltz and Morris Wise, its agents, appeared and was represented by Counsel. Also appearing on behalf of the Petitioner were Michael Maguire, a registered land surveyor, and Harry Hess, a registered architect. Ed Murray, a Director and past President of the Murray Hill Improvement Association, appeared and testified in support of the proposed variance.

Testimony indicated that the property, zoned B.L.-C.N.S., is on the east side of Charles Street Avenue, north of Stevenson Lane, and is surrounded by commercial uses. A gas station presently located on the site will be razed, and the Petitioner proposes to construct a bank with two drive-in windows in its place. The site, 110' wide x 85' deep, is somewhat small, and there has been a concerted effort by the Petitioner to place the bank and appropriate parking, including the stacking spaces, on the site in a way to satisfy the attendant problems resulting. Five spaces and 11 stacking positions will be provided. Department of Traffic Engineering has worked with the Petitioner, and the

resultant site plan, introduced as Petitioner's Exhibit 1, meets the approval of the appropriate County and State agencies. The building will be oriented in an east to west fashion which will minimize any traffic problems. Traffic Engineering also conducted a survey of some banks during various periods of operation in order to determine if the proposed use would create traffic congestion on and off site and found that there would be none. The stacking spaces provided are sufficient and would not interfere with cars parked by customers going into the bank.

Testimony by Mr. Maguire and Mr. Hess is clear that there would be no adverse impact on the community and that there would be a practical difficulty if the requested variance were denied. There is no better position for the building on the site than as proposed.

Mr. Murray testified that the Board of Directors of the Association, which represents about 200 homes, met and approved the proposed use.

The Petitioner seeks relief from Section 232.1 (303.2), pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property.

McLear v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

ORDER RECEIVED FOR FILING

DATE *Oct 15, 1984*

BY *John P. Jorgensen*

ADMINISTRATIVE ASSISTANT

ORDER RECEIVED FOR FILING

DATE *Oct 15, 1984*

BY *John P. Jorgensen*

ADMINISTRATIVE ASSISTANT

It is clear from the testimony that if the variance were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variance were not granted. It has been established that the requirement the Petitioner seeks relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 15th day of October, 1984, that the Petition for Zoning Variance to permit a front yard setback of 21 feet instead of the required average of 42.5 feet be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

- The Petitioner shall make every effort to acquire other off-street parking.
- Compliance with the comments submitted by the Baltimore County Zoning Plans Advisory Committee (ZPAC), which are adopted in their entirety and made a part of this Order.
- The Petitioner shall not allow any back-up onto Charles Street Avenue and will provide an attendant to keep traffic moving in the event that all stacking and parking spaces are filled and to prevent congestion from developing on Charles Street Avenue.
- The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the

- 3 -

APR 3 1985

PETITION FOR VARIANCE

9th Election District

LOCATION: East side of Charles Street Avenue, 608 feet North of Stevenson Lane

DATE AND TIME: Monday, October 8, 1984 at 11:15 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations c. Baltimore County, will hold a public hearing:

Petition for Variance to permit a front yard setback of 21.5 feet in lieu of the required average of 43 feet.

Being the property of Sun/Woodbrook Properties and leased by Union Trust Company of Maryland as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Mr. Arnold Jablon
Zoning Commissioner

October 8, 1984

Michael S. Flanigan

Revised Comments
Item No. 307
Proposed Drive-in Bank Union Trust Company

The radius on the S. E. corner of the bank should be made larger to improve the flow of traffic around the building.

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineering Assoc. II

MSF/cam

10/8
85-92



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERBER
DIRECTOR

ATTN.	FOR	RETURN TO
MSJ		
HCH	✓	✓
WEW		

September 21, 1984

Harry Hess, III
Smeallie, Orrick and Janka, Ltd.
5820 York Road
Baltimore, Maryland 21212

Re: Union Trust Branch Bank
W-84-57

Dear Mr. Hess:

We have reviewed your waiver application for the above property and have determined that a waiver for the Plan would be within the scope, purpose and intent of the Development Regulations of Baltimore County and is therefore approved.

Should you have questions please contact Eugene Bober, at 494-3335.

Sincerely yours,

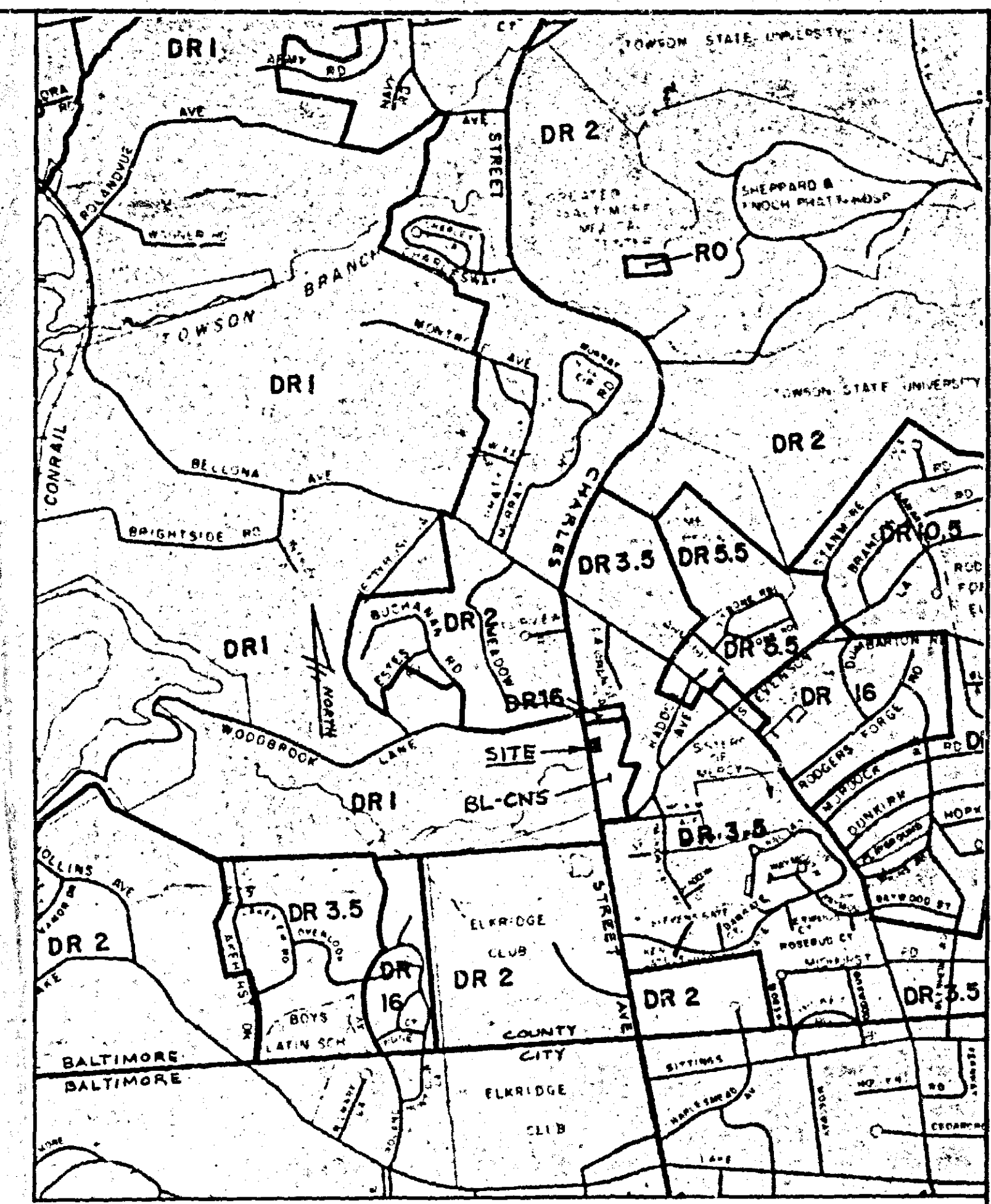
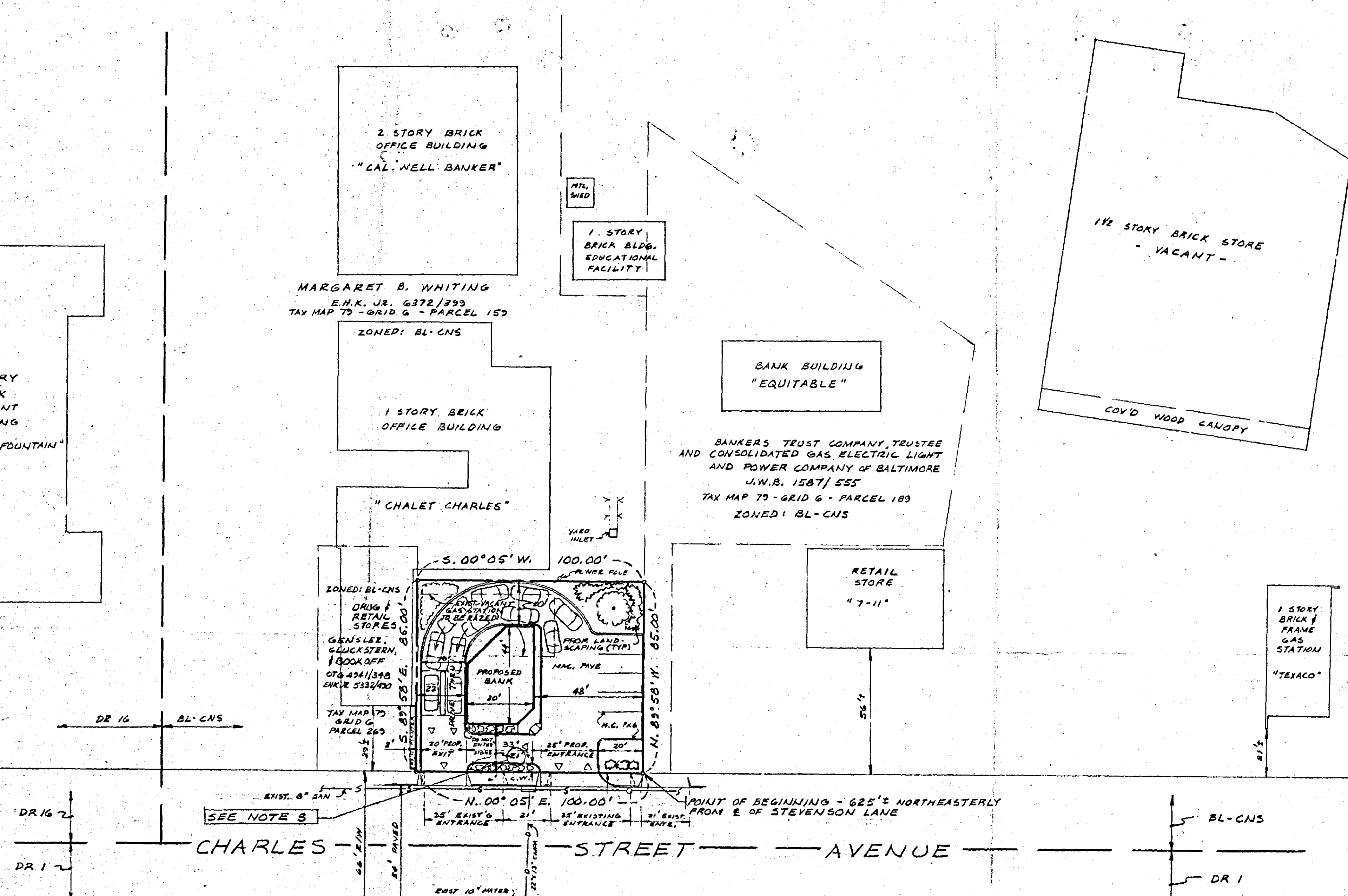
SIGNED: *Norman E. Gerber*
Norman E. Gerber
Director of Planning and Zoning

NEG:rh

cy: Eugene A. Bober
Gilbert S. Benson
Edward A. McDonough

EXHIBIT 2

RECEIVED
SEP 27 1984
SMEALLIE, ORRICK AND JANKA
ARCHITECTS



VICINITY MAP
1" = 1000'

PLAT TO ACCOMPANY
PETITION FOR ZONING VARIANCE
PROPERTY KNOWN AS
No. 6225 CHARLES STREET AVENUE
9TH ELECTION DISTRICT - BALTIMORE COUNTY, MARYLAND
TAX MAP 75, GRID 6, PARCEL 176 - W.J.R. 3740/381
FOR

SMEALLIE, ORRICK & JANKA, LTD.
5820 YORK ROAD
BALTIMORE, MD, 21212

- GENERAL NOTES
1. AREA OF TRACT = 0.195 AC.
 2. PRESENT ZONING: BL - CNS
 3. PROPOSED ZONING: BL - CNS WITH A REQUEST FOR A VARIANCE FROM SECTION 232.1 (303.2) TO PERMIT A FRONT YARD SETBACK OF 21' INSTEAD OF THE REQUIRED AVERAGE OF 43'
 4. PRESENT USE: GAS STATION - VACANT
 5. PROPOSED USE: BANK W/ DRIVE IN
 6. FOR TITLE SEE: WILLIAM J. WIESAND ET UX TO SUN OIL COMPANY W.J.R. 3740/381
 7. REQUIRED FRONT YARD SETBACK COMPS: $(25 + 56) / 2 = 43'$
 8. REQUIRED PARKING: 1320 sq / 300 = 4.4 SPACES
 9. PARKING PROVIDED: 5 SPACES

PETITIONER'S
EXHIBIT 1

EVANS, HAGAN & HOLDEFER, INC.			
ENGINEERS, LAND PLANNERS & SURVEYORS			
DATE	REVISION	BY	PPR
10/15/84	EXIT AND PARKING REVISED		
SURVEYED BY			
COMPUTED BY			
DRAWN BY			
CHECKED BY			
Drwg. No.			

1013 BELAIR ROAD / BALTIMORE, MD. 21226
(301) 988-1501
430 POPP STREET / CAMBRIDGE, MD 21613 / (301) 228-8750
111 JONES STREET / WESTMINSTER, MD 21157 / (301) 844-7700
100 WEST STREET / LAUREL, MD 20655 / (301) 728-9000

DATE: 7/1/84 SCALE: 1" = 30'

